

Declaratory Judgment Act, 22 U.S.C. § 2201 for declaratory and injunctive relief and or Rule 65 of the Federal Rules of Civil Procedure to remedy Defendant's pattern and practice of ultra vires conduct in excess of statutory and regulatory authority and deprivation of Plaintiff's procedural and substantive due process rights.

2. Plaintiff has complied with all presuit requirements of 28 U.S.C. § 2671, et seq., and the Administrative Remedy Process, 28 C.F.R. 542, et seq.

3. In an effort to collect payments for restitution, fines and special assessment through the Inmate Financial Responsibility Plan ("IFRP"), the Defendants have engaged and continues to engage in a pattern and practice of threatening, intimidating and harrasing inmates to participate in this voluntary program and forcing them into agreements above and beyond the payment schedules set by the Court in violation of the law. This pattern and practice by the Defendants is in excess of BOP authority, is otherwise contrary to law, federal regulations, violates Plaintiff's First and Fifth Amendment and improper delegation of the sentencing court's authority.

4. To redress irreparable harm to Plaintiff and others similarly situated, Plaintiff seeks immediate declaratory and injunctive relief and damages to ensure future compliance with the law and federal regulations and the court's order governing setting schedules for restitution, fines or other monetary penalties.

PARTIES

5. Plaintiff, Raymond Mainor ("Mainor") is a federal prisoner currently confined at LSCI Allenwood. According to the Defendants' Mainor is being held in custody pursuant to a judgment issued by the United States District Court for the Eastern District of Pennsylvania issued on May 21, 2008 which was never entered into the court files. See Exh. ' A ' ; Remedy ID: _____.

6. Defendant United States of America is an appropriate party with certain exceptions for injuries caused by the negligent or wrongful acts or omissions of any federal employee acting within the scope of his or her

employment, in accordance with the law of the State where the act or omission occurred.

7. The United States is an appropriate party for injuries caused by prison officials arising out of negligence, negligent supervision, and negligent training..

8. Defendant L. Getz ("Getz") is Plaintiff's assigned Case Manager at LSCI Allenwood and is sued in her official capacity as an employee of the Federal Bureau of Prisons ("FBOP"), officer, a component of the United States Department of Justice ("DOJ"), an agency of the United States of America ("United States"). At all relevant times Getz was a federal employee acting within the scope of her employment. As Case Manager, Getz is required to work with inmates to establish a financial plan for payment of obligations, not dictate, threaten, intimidate, harass or retaliate against prisoners.

9. Defendant Douglas K. White ("White") is the Warden of LSCI Allenwood. At all relevant times White was a federal employee acting within the scope of his employment. As Warden, White is responsible for the day to day operation of LSCI Allenwood, including investigating staff misconduct, abuse of authority and disciplining staff misconduct. White is also responsible for the supervision, training and hiring of staff members such as Getz.

10. Defendant J. Ray Ormond ("Ormond") is the Regional Director for the Northeast Region. At all relevant times Ormond was a federal employee acting within the scope of his employment. As Regional Director, Ormond is responsible for the oversight of Getz, White and LSCI Allenwood and the institutions in the Northeast Region. Ormond is also responsible for investigating complaints of staff misconduct, abuse of authority and taking disciplinary action against staff misconduct.

11. The Defendants have a duty to promptly investigate reports of abuse of authority and staff misconduct. See BOP PS 3420.11 [Attachment A].

12. The Defendants have a duty to ensure that they comply with all federal statutes, regulations and BOP policy as well as orders from the Court.

13. The Defendants owe a duty and obligation of care to the Plaintiff pursuant to 18 U.S.C. § 4041, 4042.

JURISDICTION AND VENUE

14. The Court has jurisdiction over this action under 28 U.S.C. § 1331, 28 U.S.C. § 1346 because the action arises under the U.S. Constitution, the Administrative Procedures Act, 5 U.S.C. § 701, et seq., the Federal Tort Claims Act ("FTCA"), 28 U.S.C. § 2671, et seq., or alternatively a Writ of Habeas Corpus pursuant to 28 U.S.C. § 2241.

15. Venue appropriately lie in this Court pursuant to 28 U.S.C. § 1391(e) and § 1391(h), because the Middle District of Pennsylvania is a judicial district in which at least three of the defendants resides, and because a substantive part of the acts or omissions giving rise to the claims occurred in the Middle District of Pennsylvania.

16. The United States, including its department and agencies are not immune to suit from actions arising under the United States Constitution, APA or FTCA.

17. This is not an action for review of an administrative order or to affirm, amend, modify or set aside any part of an order. Instead, this action constitutes a broad challenge to the unconstitutional, unlawful and ultra vires practices and procedures employed by the Defendants in forcing, threatening, intimidating inmates into make payment amounts they are not in agreement with.

STATEMENT OF FACTS

18. Pursuant to 18 U.S.C. § 3572(d) Time, method of payment, and related items . . .

- (1) A person sentenced to pay a fine or other monetary penalty, shall make such payment immediately, unless, in the interests of justice, the court provides for payment on a date certain or installments. If the court provides for payment in installments, the installments shall be in equal monthly payments over the period provided by the court, unless the court establishes another schedule.

- (3) A judgment for a fine which permits payments in installments shall include a requirement that the defendant will notify the court of any material change in the defendant's economic circumstances that might affect the defendant's ability to pay the fine. Upon receipt of such notice the court may ... adjust the payment schedule, or require immediate payment in full ...

19. Pursuant to 28 U.S.C. § 3611 - Payment of a fine or restitution --

"[a] person who is sentenced to pay a fine, assessment, or restitution, shall pay the fine, assessment, or restitution (including interest or penalty) as specified by the Director of Administrative Office of the U.S. Courts. Such Director may specify that such payments are made to the Clerk of the Court or in the manner provided for under 28 U.S.C. § 604(a)(18).

20. The FBOP IFRP applies to nearly all post trial inmates in federal facilities. 28 C.F.R. 545.10. It is intended to "encourage each sentenced inmate to meet his or her legitimate financial obligation." Id. Under the IFRP, "unit staff" "assist the inmate in developing a financial plan to meet those obligations." Id. The IFRP typically requires a minimum payment of \$25.00 per quarter for non-Unicor and Unicor grade 5 inmates. 28 CFR 545.11 (b)(1). Payments may be made from institution or non-institution (community resources). Id.

21. An inmate is free to decline to participate in IFRP, but the failure to either participate or to comply with a financial plan established by the inmate comes with certain consequences. 28 CFR 545.11(d). No part of the federal regulations allow the Defendants to intimidate, threaten, harrass or stop a payment agreement as part of the program or not comply with a court's sentencing order.

22. At initial classification, the Unit Team shall review an inmate's financial obligations. 28 CFR 545.11(a).

23. BOP Policy Statement 5380.08(1) states the BOP encourages each sentenced inmate to meet his or her legitimate financial obligations. Section 8(a)(3) Fines and Court costs] states "the Court may establish a payment schedule or a deferred payment date to satisfy a restitution or

fine. When the dates of the court-ordered payment schedule follow the period of incarceration, the financial obligation should address any other financial obligations.

24. Only the sentencing Court has the statutory to modify or set a payment schedule for restitution, fine or other monetary penalty and the Courts have not and is not allowed to delegate its responsibility to the FBOP.

RAYMOND MAINOR

25. Raymond Mainor was convicted on October 24, 2007 on various drug charges in the Eastern District of Pennsylvania, Case No. 06-140-1, United States v. Mainor (2008). See Exh. 'A'. Mainor was sentenced on April 24, 2008 and according to the judgment (Exh 'A') was signed on May 21, 2008. The Defendants are using this judgment to collect \$60,000 in fines, however this judgment was never recorded or docketed, thus it is void ab initio. See Exh. 'B' which confirms the Defendants are using this judgment to hold Plaintiff in custody and forms the basis for collecting \$60,000 in fines.

26. At Plaintiff's initial classification, Plaintiff voluntarily agreed based on the Defendant's representations to pay a quarterly amount of \$25 towards the \$60,000 fine. As demonstrated by Exhibit 'C', plaintiff was making his payments without an issue. Plaintiff signed an agreement with the Defendant's to make a quarterly payment of \$25. Plaintiff has requested a copy of the agreement for the \$25 and the Defendant's have refused to provide it to append to this complaint.

27. On or about August, 2018 Getz without authority and permission cancelled Plaintiff's quarterly payments of \$25 and arbitrary and capricious placed Plaintiff in FRP refusal status which deprived him of being able to purchase religious items to freely practice his religion among other privileges.

28. In or around August, 2018 Plaintiff submitted an informal resolution form to the Defendant's to correct and take disciplinary action for the

misconduct committed by Getz. Instead of acknowledging and investigation the matter, the Defendants along with Unit Manager Beaver sought to cover-up the misconduct and abuse of authority for stopping the payments by claiming that the Plaintiff refused. When Plaintiff requested a copy of the documentation demonstrating the refusal, the Defendants refused to provide it. Getz further made false statements that she created a new IFRP contract for \$75.00, yet when a copy of the contract was requested, it could not be produced, nor could a copy of the court order adjustment Plaintiff's payment schedule be produced.

29. The Plaintiff requested a copy of the SENTRY computer log be investigated to demonstrate the false statements and provide evidence of the misconduct. The Defendant neither conducted an investigation or rebutted the factual allegations contained in the Administrative Remedy. See Exh. "D". - Remedy ID 949825-F1.

30. The plaintiff has filed the SF-95 with the Regional Office, J. Ray Ormond, who forwarded it back to the institution for them to begin the cover-up to avoid liability. This is the Defendant's normal practice and pattern of obstruction.

31. Plaintiff is not the only victim of the Defendant's misconduct. For example, Inmate Peralta, another inmate that belongs to Getz, was put on FRP refuse because he had to use the funds to pay to feed his kids and missed a single \$25.00 payment that could have been paid the following month, instead Getz forced him to pay the full balance due or be on refusal status even if the payment is made up.

32. Since Getz cancelled Plaintiff's quarterly payments, Plaintiff took steps to pay the court directly \$150.00 for the next quarters to ensure compliance. Plaintiff presented the receipts to Getz, and requested she post the payments for the next few quarters until this matter can be resolved. See Exh. 'E'. Instead Getz, posted the payments as a single bulk payment and refused to take Plaintiff off FRP refuse to show she has power and would not be held accountable for misconduct.

33. The Defendants by their acts and omissions deprived Plaintiff of being able to purchase those items needed to exercise his First Amendment rights to freely practice his religion. Plaintiff has a sincere belief in his religion and the Defendant's actions have irreparably harm that belief.

34. As a result of the Defendants conduct, Plaintiff suffered has and continues to suffer irreparable harm.

35. The Defendants have a practice and pattern of rewarding staff misconduct such as this, including promoting unqualified individuals into positions they are not equipped to handle, in some cases based on nepotism, which allows retaliation against inmates for complaints of misconduct filed.

36. The Defendants have a practice and pattern of encouraging institution staff to lie, falsify documents and take adverse actions against inmates without justification and in retaliation.

37. Defendant White and Ormond have failed in all respects at their mandated responsibility to ensure the duty of care is properly adhered to.

38. Defendant White and Ormond have failed to properly trained, supervised and discipline those under their charge which allows those individuals to abuse their authority and engage in misconduct which goes on for years.

39. Defendant White and Ormond have a patterning of rewarding staff misconduct by failing to investigate and covering it up.

40. The actions of the Defendants was an abuse of authority, otherwise contrary to law and violates federal statutory laws and regulations.

41. The restriction placed by the defendants unlawfully deprived Plaintiff of rights under the First and Fourteenth Amendment because it denies Plaintiff access to purchase items to conduct and to express his belief.

42. Under the Fourteenth Amendment because it deprived Plaintiff from conducting a religious ceremony according to his belief, deprives him of Equal protection.

43. Under the Equal Protection Clause of the Fourteenth Amendment, because the restriction denies plaintiff equal access to purchase items for his religious practices, deprives him of the equal protection of the laws.

COUNT I: VIOLATION OF FIFTH AMENDMENT

44. Plaintiff realleges and incorporates by reference allegations contained in Paragraphs 1 through 43 as if fully set forth here.

45. The Due Process Clause of the Fifth Amendment to the U.S. Constitution prohibits the federal government from depriving any person of life, liberty or property, without due process of law.

46. Plaintiff has a constitutionally protected interest in, inter alia, to freely practice his religion.

47. The Due Process clause of the Fifth Amendment prohibits the federal government from depriving any person substantive due process, including equal protection of the laws.

48. As described above, the actions of the Defendant's violate the Plaintiff's constitutionally protected rights by not assuring due process of law is provided in the situation described in this Complaint.

COUNT II - VIOLATION OF FIRST AMENDMENT

49. Plaintiff realleges and incorporates by reference allegations contained in Paragraphs 1 through 48 as if fully set forth here.

50. Defendant's actions, by denying Plaintiff the ability to purchase the items needed to express his religious convictions, prevented and prevents Plaintiff from conducting a religious ceremony.

51. Defendant action violates the Plaintiff right of free exercise of religion under the First and Fourteenth Amendment.

COUNT III - VIOLATION OF APA, 5 U.S.C. § 701 et seq

52. Plaintiff realleges and incorporates by reference the allegations in Paragraphs 1 through 51 by reference as if fully set forth here.

53. The APA provides that "[a] person suffering a legal wrong because of agency action, or adversely affected or aggrieved by an agency action within the meaning of a relevant statute [or regulation] is entitled to judicial review thereof." 5 U.S.C. § 702.

54. The APA further empowers the Court to "hold unlawful and set aside agency action, findings and conclusions found to be ... arbitrary, capricious, or abuse of discretion, or otherwise not in accordance with law; contrary to unsituated right, power, privilege or impunity; or in excess of statutory jurisdiction, authority, or limitation, or ... statutory right." 5 USC 706 (2).

55. The pattern and practice of conduct of the Defendants as described above constitutes unlawful actions that has caused Plaintiff to suffer legal wrong reviewable by this Court under the APA, 5 U.S.C. 706.

COUNT IV - NEGLIGENCE (TORT)

56. Plaintiff realleges and incorporates by reference the allegations in Paragraphs 1 through 55 by reference as if fully set forth here.

57. The United States is responsible for the acts or omissions of their agents, officers and employees under the doctrine of respondeat superior.

58. The actions of employee L. Getz, White and Ormond constitute negligence in violation of Pennsylvania law. The employees had a duty of care to the plaintiff to assist him in developing a financial plan which was in place and working. The employees Defendants breached that duty by stopping his payments in August, 2018, placing him on FRP refuse, and then attempting to coerce, intimidate, and threatening him into a contract that did not exist and making material misrepresentations to cover it up.

The breach of duty constitutes negligence in violation of Pennsylvania common law and was the direct and proximate cause of the Plaintiff's pain and suffering and injury. Under the FTCA, the defendant United States of America is liable to the plaintiff for the unlawful actions of Getz, White and Ormond, as they were acting within the scope of their employment as employees of the United States.

COUNT V - NEGLIGENT SUPERVISION

59. Plaintiff realleges and incorporates by reference the allegations in Paragraphs 1 through 58 as if fully set forth here. .

60. White and Ormond had a duty to supervise and control the conduct of Getz and failed to take appropriate steps to ensure her acts were in accordance with the laws and federal regulations, such as she had no authority to cancel Plaintiff's quarterly payments or that the sentencing court did not delegate to the BOP it's authority to set payment schedules, or to threaten, intimidate or force inmates into signing contracts they are not entering into voluntarily. White and Ormond knew or should have know of Getz's ongoing negligent and abusive conduct and failed to do anything. White and Ormond in failing to take appropriate measures to detect, prevent or control this type of conduct amounts to negligent supervision. White and Ormond was and is negligent in its control, supervision and / or oversight of Getz and many others.

61. The actions of employee White and Ormond constitute negligent supervision in violation of Pennsylvania common law. White and Ormond had a duty an obligation to properly supervise Getz. The breach that duty when they allowed her actions to cause injury to the Plaintiff. Their breach of their duty constitute negligent supervision in violation of Pennsylvania common law and was the direct and proximate cause of pain and suffereing . Under the FTCA, the defendant United States of America is llicable for the unlawful actions of White and Ormond as they were acting within the scope of their employment as employees of the United States.

62. Plaintiff seeks punative, compensatory damages which was the proximate cause of Plaintiff's injuries.

COUNT VI - NEGLIGENT HIRING AND RETENTION

63. Plaintiff realleges and incorporates by reference the allegations in Paragraphs 1 through 62 as if fully set forth here.

64. Defendant White and Ormond owe a duty of care to hire and properly train the employees that work under them .

65. Defendant White and Ormond have failed to effectively hire employees at the institution. White and Ormond knew that they have put employees into positions without proper screening, testing of their knowledge which has caused countless injuries to inmates. White and Ormond's decision are predicated on nepotism and rewarding employees who actively engaged in misconduct and abusing their authority. For example, Getz was a corrections officer with no background in social work which is required for a case manager. It requires knowledge of the law and BOP practices, yet Getz lacks the knowledge and was given this position. White and Ormond breached the duty when they allowed Getz to be a case manager and regularly abuses her position and authority and it is allowed to continue without intervention.

66. The actions of employee White and Ormond constitute negligent hiring and retention in violation of Pennsylvania common law. These employees had a duty to the plaintiff to hire and retain qualified and well trained employees, they breached that duty when they hired Getz and many others who regularly engage in misconduct without worry of consequences. This breach of their duty constitutes negligent hiring and training in violation of Pennsylvania common law and was the direct and proximate cause of the plaintiff's pain, suffering and injury. Under the FICA, the defendant United States is liable for the unlawful actions of Ormond and White as they were acting within the scope of their employment as employees of the United States.

COUNT VII - DECLARATORY AND INJUNCTIVE RELIEF

67. Plaintiff re-alleges and incorporates by reference each and every allegation contained in paragraph 1 through 66 as if fully set forth here.

68. The Declaratory Judgment Act, 28 U.S.C. § 2201, grants this Court authority to declare the Plaintiff's legal right when an actual controversy

exists.

69. Plaintiff and defendants have adverse legal interests that are of sufficient immediacy and reality to warrant the issuance of a Declaratory Judgment in accordance with 28 U.S.C. § 2201.

70. For the reasons stated above, Plaintiff is entitled to a declaration of his rights.

71. A failure to enjoin the Defendant's unconstitutional and unlawful conduct has and will continue to cause Plaintiff to suffer injury in that it will result in the deprivation of his First Amendment right and protections against agency action that is arbitrary, capricious, in bad faith, or contrary to law.

72. No adequate remedy at law exists.

73. Defendant's unconstitutional and unlawful conduct will also adversely affect the interests of numerous prisoners without advancing public interests.

74. Plaintiff is entitled to injunctive relief enjoining Defendants from continuing their unconstitutional and unlawful pattern and practice of conduct as alleged in this complaint.

75. Defendants have no protectable interest in the continuation of their unconstitutional and unlawful conduct.

DECLARATORY RELIEF

76. Pursuant to Section 2201(a) of Title 21, a judgment declaring:

1. That the IFRP is voluntary and no staff member may force an inmate or threaten or intimidate them into a new contract for payment of fines or restitution or other criminal monetary penalties;
2. That when an inmate wants to keep his IFRP payments the same, he be permitted to do so and it is not deemed as refusal;
3. The BOP has not been delegated the authority to set payment schedules

by the sentencing courts.

4. That the Defendant's have knowingly and intentionally made false statements in the Administrative Remedy process to deprive him of due process and a denial to freely exercise his First Amendment rights to cover-up the misconduct of employee L. Getz;
5. That the BOP may not cancel an inmate's existing voluntary payments through the IFRP without their expressed consent;
6. that L. Getz arbitrarily and capricious cancelled Plaintiff's existing IFRP payments of \$25.00 without his consent as retaliation and abuse of authority;
7. That the BOP is without authority to set payment schedules for IFRP.

INJUNCTIVE RELIEF

77. Pursuant to Rule 65, Fed.R.Civ.P., the Plaintiff requests an injunction directing the BOP to reinstate Plaintiff's \$25.00 quarterly payment and restore him to his previous position prior to L. Getz putting him on FRP refuse as retaliation and arbitrary and capriciousness.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff respectfully requests that the Court:

- a. Appoint counsel to represent the Plaintiff;
- b. alternatively, allow the action to proceed as a habeas;
- c. Issue a judgment declaring the Defendant's actions as applied to Plaintiff and other similarly situated prisoners are unlawful and exceed defendant's constitutional and statutory authority in violation of 5 U.S.C. § 706(2)(A)-(D);
- d. Issue a judgment declaring the Defendant's unwritten policy, practices, acts, and omissions described herein are unlawful and violate Plaintiff

rights under the First, Fifth and Fourteenth Amendments under the Constitution;

- d. issue a judgment declaring the Defendant's acts and omissions violate 18 U.S.C. § 3572(d);
- e. issue a judgment declaring the judgment that the Defendant's are holding Plaintiff in custody from May 21, 2008 is void ab initio and cannot be used to collect anything from the Plaintiff;
- f. Award compensatory, punitive damages of \$1,000,000 against the Defendant United States of America for the unlawful and unconstitutional conduct and torts complained of here as the other individual defendants will not be held accountable for the conduct otherwise due to the practice and pattern by them to cover-up and not punish misconduct;
- g. issue a permanent injunction against the Defendants to refrain from the unlawful and unconstitutional conduct alleged herein;
- h. any other relief the Court deems just and equitable.

Dated: November 22, 2018



Raymond Mainor
Reg # 59883-066
LSCI Allenwood
P O Box 1000
White Deer, PA 17887

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Federal Correction Complex Allenwood Low
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PER  DEPUTY CLERK

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Scranton, P.
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AO245B (Rev. 06/05) Judgment in a Criminal Case
Sheet 1

UNITED STATES DISTRICT COURT

REC'D-PROB

Pennsylvania MAY 23 PM 3:19

District of

Eastern

JUDGMENT IN A CRIMINAL CASE USDC-PHILA

UNITED STATES OF AMERICA

V.

RAYMOND MAINOR

Case Number: 06-140-1

USM Number: 59883-066

Stephen Lecheen, Esq.
Defendant's Attorney

THE DEFENDANT:

☐ pleaded guilty to count(s)

☐ pleaded nolo contendere to count(s)
which was accepted by the court.

☒ X was found guilty on count(s) 1a, 2a, 3a, 4a, 5a, 6a, 7a, 8a, 9a and 10a.
after a plea of not guilty.

The defendant is adjudicated guilty of these offenses:

Title & Section	Nature of Offense	Offense Entered	Count
21:841(c)(1)(A); 18:2	Possession with Intent to Distribute 5 Kilos or More of Cocaine;	3/8/2006	1a
21:860(b); 18:2	Aiding and Abetting. Possession with Intent to Distribute 5 Kilograms or More of Cocaine within 1000 Feet of a School; Aiding and Abetting.	3/8/2006	2a
21:841(c)(1)(B)	Possession with Intent to Distribute 500 Grams or More of Cocaine; Aiding and Abetting.	3/8/2006	3a

The defendant is sentenced as provided in pages 2 through 7 of this judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

☐ The defendant has been found not guilty on count(s)

☐ Count(s) is ☐ are dismissed on the motion of the United States.

It is ordered that the defendant must notify the United States attorney for this district within 30 days of any change of name, residence, or mailing address within 30 days of any change of name, residence, or mailing address. If the defendant is ordered to pay restitution, the defendant must notify the court and United States attorney of material changes in economic circumstance.

April 24, 2008

Date of Imposition of Judgment

A TRUE COPY CERTIFIED TO FROM THE RECORD

DATED: May 22, 2008

ATTEST: [Signature]

CLERK OF COURT

EASTERN DISTRICT OF PENNSYLVANIA

Lawrence F. Stengel, U.S. District Judge

Name and Title of Judge

May 21, 2008

Date

EXHIBIT A

AO 245B (Rev. 06/05) Judgment in a Criminal Case

Sheet 1A

 DEFENDANT: RAYMOND MAINOR
 CASE NUMBER: 06-140-1

Judgment - Page 2 of 7

ADDITIONAL COUNTS OF CONVICTION

Title & Section	Nature of Offense	Offense Dated	Count
21:860(e)	Possession with Intent to Distribute 500 Grams or More of Cocaine within 1000 Feet of a School.	3/8/2006	4s
21:841(a)(1)(b)(1)(B)	Possession with Intent to Distribute 5 Grams or More of Cocaine.	3/8/2006	5s
21:860(e)	Possession with Intent to Distribute 5 Grams or More of Cocaine within 1000 Feet of a School; Aiding and Abetting Trafficking Crime.	3/8/2006	6s
18:924(c)(1)	Possession of a Firearm by a Convicted Felon.	3/8/2006	7s
18:922(e)(1)	Possession of a Firearm.	3/8/2006	8s
21:841(a)(1)(b)(1)(C)	Distribution of Cocaine.	3/4/2006	9s
21:860(e)	Distribution of Cocaine within 1000 Feet of a School.	3/4/2006	10s

AO 245B (Rev. 06/05) Judgment in Criminal Case

Sheet 2 - Imprisonment

 DEFENDANT: RAYMOND MAINOR
 CASE NUMBER: 06-140-1

Judgment - Page 3 of 7

IMPRISONMENT

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a total term of:

340 months, as to counts 1s, 2s, 3s, 4s, 5s, 6s, 9s and 10s, to run concurrently and 120 months, as to count 8s also to run concurrently and 60 months, as to count 7s, to run consecutively, all for a total term of 500 months.

X The court makes the following recommendations to the Bureau of Prisons:
 The Court recommends that the defendant be placed in an institution within 100 miles of or as close as possible, to Atlanta, GA.

X The defendant is remanded to the custody of the United States Marshal.

☐ The defendant shall surrender to the United States Marshal for this district:

☐ at _____ a.m. ☐ p.m. on _____

☐ as notified by the United States Marshal.

☐ The defendant shall surrender for service of sentence at the institution designated by the Bureau of Prisons:

☐ before 2 p.m. on _____

☐ as notified by the United States Marshal.

☐ as notified by the Probation or Pretrial Services Office.

RETURN

I have executed this judgment as follows:

Defendant delivered _____ to _____
 at _____, with a certified copy of this judgment.

UNITED STATES MARSHAL

By

DEPUTY UNITED STATES MARSHAL

AO 345B (Rev. 06/05) Judgment in a Criminal Case
Sheet 1 - Supervised Release

DEFENDANT: RAYMOND MAINOR
CASE NUMBER: 06-140-1

Judgment Page 4 of 7

SUPERVISED RELEASE

Upon release from imprisonment, the defendant shall be on supervised release for a term of:

20 years, as to counts 1a, 2a, 3a, 4a, 5a, 6a, 9a and 10 and 3 years, as to counts 7a and 8a, all to run concurrently for a total of 20 years.

The defendant must report to the probation office in the district to which the defendant is released within 72 hours of release from the custody of the Bureau of Prisons.

The defendant shall not commit another federal, state or local crime.

The defendant shall not unlawfully possess a controlled substance. The defendant shall refrain from any unlawful use of a controlled substance. The defendant shall submit to one drug test within 15 days of release from imprisonment and at least two periodic drug tests thereafter, as determined by the court.

☐ The above drug testing condition is suspended, based on the court's determination that the defendant poses a low risk of future substance abuse. (Check, if applicable.)

☒ The defendant shall not possess a firearm, ammunition, destructive device, or any other dangerous weapon. (Check, if applicable.)

☒ The defendant shall cooperate in the collection of DNA as directed by the probation officer. (Check, if applicable.)

☐ The defendant shall register with the state sex offender registration agency in the state where the defendant resides, works, or is a student, as directed by the probation officer. (Check, if applicable.)

☐ The defendant shall participate in an approved program for domestic violence. (Check, if applicable.)

If this judgment imposes a fine or restitution, it is a condition of supervised release that the defendant pay in accordance with the Schedule of Payments sheet of this judgment.

The defendant must comply with the standard conditions that have been adopted by this court as well as with any additional conditions on the attached page.

STANDARD CONDITIONS OF SUPERVISION

- 1) the defendant shall not leave the judicial district without the permission of the court or probation officer;
- 2) the defendant shall report to the probation officer and shall submit a truthful and complete written report within the first five days of each month;
- 3) the defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer;
- 4) the defendant shall support his or her dependents and meet other family responsibilities;
- 5) the defendant shall work regularly at a lawful occupation, unless excused by the probation officer for schooling, training, or other acceptable reasons;
- 6) the defendant shall notify the probation officer at least ten days prior to any change in residence or employment;
- 7) the defendant shall refrain from excessive use of alcohol and shall not purchase, possess, use, distribute or administer any controlled substance or any paraphernalia related to any controlled substances, except as prescribed by a physician;
- 8) the defendant shall not frequent places where controlled substances are illegally sold, used, distributed, or administered;
- 9) the defendant shall not associate with any persons engaged in criminal activity and shall not associate with any person convicted of a felony, unless granted permission to do so by the probation officer;
- 10) the defendant shall permit a probation officer to visit him or her at any time at home or elsewhere and shall permit confiscation of any contraband observed in plain view of the probation officer;
- 11) the defendant shall notify the probation officer within seventy-two hours of being arrested by a law enforcement officer;
- 12) the defendant shall not enter into any agreement to act as an informer or a special agent of a law enforcement agency without the permission of the court; and
- 13) as directed by the probation officer, the defendant shall notify third parties of rules that may be occasioned by the defendant's criminal record or personal history or characteristics and shall permit the probation officer to make such notifications and to confirm the defendant's compliance with such notification requirement.

AO 345B (Rev. 06/05) Judgment in a Criminal Case
Sheet 2a - Supervised Release

DEFENDANT: RAYMOND MAINOR
CASE NUMBER: 06-140-1

Judgment Page 5 of 7

ADDITIONAL SUPERVISED RELEASE TERMS

- 1.) The defendant shall provide the U.S. Probation Office with full disclosure of his financial records to include yearly income tax returns upon the request of the U.S. Probation Office. The defendant shall cooperate with the probation officer in the investigation of his financial dealings and shall provide truthful monthly statements of his income.
- 2.) The defendant is prohibited from incurring any new credit charges or opening additional lines of credit without the approval of the probation officer, unless the defendant is in compliance with a payment schedule for any fine or restitution obligation. The defendant shall not encumber or liquidate interest in any assets unless it is in direct service of the fine or restitution obligation or otherwise has the express approval of the Court.
- 3.) The defendant shall pay to the United States a fine of \$60,000.00, consisting of a \$10,000.00 fine, per count. The Court will waive the interest requirement in this case.
- 4.) The fine is due immediately and shall be paid in full within 30 days of sentencing. In the event the fine is not paid prior to the commencement of supervision, the defendant shall satisfy the amount due in monthly installments of not less than \$200.00, to commence 30 days after release from confinement.
- 5.) The defendant shall notify the United States Attorney for this district within 30 days of any change of mailing address or residence that occurs while any portion of the fine remains unpaid.
- 6.) The defendant shall pay to the United States a total special assessment of \$600.00, which shall be due immediately.

AO 245B (Rev. 06/03) Judgment in a Criminal Case
Sheet 5 - Criminal Monetary Penalties

Judgment - Page 7 of 7

DEFENDANT: RAYMOND MAINOR
CASE NUMBER: 06-140-1

CRIMINAL MONETARY PENALTIES

The defendant must pay the total criminal monetary penalties under the schedule of payments on Sheet 6.

ASSESSMENT
TOTALS \$ 600.00
Fine \$ 60,000.00
Restitution \$ 0.00☐ The determination of restitution is deferred until _____. An Amended Judgment in a Criminal Case (AO 245C) will be entered after such determination.☐ The defendant must make restitution (including community restitution) to the following payees in the amount listed below.

If the defendant makes a partial payment, each payee shall receive an appropriately proportioned payment, unless specified otherwise in the court's order. The percentage payment column below. However, pursuant to 18 U.S.C. § 3664(f), all nonfederal victims must be paid before the United States is paid.

Name of Payee Total Amount Restitution Ordered Priority or Percentage

TOTALS \$ _____ 0 \$ _____ 0

☐ Restitution amount ordered pursuant to plea agreement \$ _____☐ The defendant must pay interest on restitution and a fine of more than \$2,500, unless the restitution or fine is paid in full before the fifteenth day after the date of the judgment, pursuant to 18 U.S.C. § 3612(f). All of the payment options on Sheet 6 may be subject to penalties for delinquency and default pursuant to 18 U.S.C. § 3612(g).☒ The court determined that the defendant does not have the ability to pay interest and it is ordered that:☒ the interest requirement is waived for the ☒ fine ☐ restitution.☐ the interest requirement for the ☐ fine ☐ restitution is modified as follows:

* Findings for the total amount of losses are required under Chapters 109A, 110, 110A, and 113A of Title 18 for offenses committed on or after September 13, 1994, but before April 23, 1996.

AO 245B (Rev. 06/03) Judgment in a Criminal Case
Sheet 6 - Schedule of Payments

Judgment - Page 7 of 7

DEFENDANT: RAYMOND MAINOR
CASE NUMBER: 06-140-1

SCHEDULE OF PAYMENTS

Having assessed the defendant's ability to pay, payment of the total criminal monetary penalties are due as follows:

A ☐ Lump sum payment of \$ _____ due immediately, balance due☐ not later than _____, or
☐ in accordance with ☐ C, ☐ D, ☐ E, or ☐ F below; orB ☐ Payment to begin immediately (may be combined with ☐ C, ☐ D, or ☐ F below); or
☐ Payment in equal _____ (e.g., weekly, monthly, quarterly) installments of \$ _____ over a period of _____ (e.g., months or years), to commence _____ (e.g., 30 or 60 days) after the date of this judgment; orD ☐ Payment in equal _____ (e.g., weekly, monthly, quarterly) installments of \$ _____ over a period of _____ (e.g., months or years), to commence _____ (e.g., 30 or 60 days) after release from imprisonment to a term of supervision; orE ☐ Payment during the term of supervised release will commence within _____ (e.g., 30 or 60 days) after release from imprisonment. The court will set the payment plan based on an assessment of the defendant's ability to pay at that time; orF ☒ Special instructions regarding the payment of criminal monetary penalties:

The defendant shall pay to the United States a total fine of \$60,000.00, due immediately. The fine shall be paid in full within 30 days of sentencing. In the event that the fine is not paid prior to the commencement of supervision, the defendant shall satisfy the amount due in monthly installments of not less than \$200.00, to commence 30 days after release from confinement. The defendant shall pay to the United States a total special assessment of \$600.00, due immediately.

Unless the court has expressly ordered otherwise, if this judgment imposes imprisonment, payment of criminal monetary penalties is due during the term of imprisonment. All criminal monetary penalties, except those payments made through the Federal Bureau of Prisons' Inmate Financial Responsibility Program, are made to the clerk of the court.

The defendant shall receive credit for all payments previously made toward any criminal monetary penalties imposed.

☐ Joint and Several

Defendant and Co-Defendant Names and Case Numbers (including defendant number), Total Amount, Joint and Several Amount, and corresponding payee, if appropriate.

☐ The defendant shall pay the cost of prosecution.☐ The defendant shall pay the following court cost(s):☒ The defendant shall forfeit the defendant's interest in the following property to the United States:
Byco Arms, 3mm semi-automatic firearm, serial number 1330801.

Payments shall be applied in the following order: (1) assessment, (2) restitution principal, (3) restitution interest, (4) fine principal, (5) fine interest, (6) community restitution, (7) penalties, and (8) costs, including cost of prosecution and court costs.

MAINOR, Raymond
Register No.: 59883-066
Appeal Number: 933077-FI
Page 1

Part B - Response

This is in response to your Request for Administrative Remedy received on March 8, 2018, wherein you claim you have been unlawfully being held in prison since July 7, 2008. You claim your judgement was never filed with the clerk of court nor was it signed by the judge. As relief, you request proof the judgement was signed by the judge and the docket number and date it was placed on file by the clerk of court.


Sentences imposed for offenses committed on or after November 1, 1987, follow 18 U.S.C. § 3585(a) and it states: "A sentence to a term of imprisonment commences on the date the defendant is received in custody awaiting transportation to, or arrives voluntarily to commence service of sentence at, the official detention facility at which the sentence is to be served."

A copy of your Judgment and Commitment Order is attached. Your 300 month sentence was imposed on April 24, 2008, and signed on May 21, 2008, by Judge Lawrence F. Stengel.

Therefore, based on the above information, your request is granted, in that a copy of your signed J&C is attached.

If you are not satisfied with this response, you may appeal to the Regional Director, Federal Bureau of Prisons, Northeast Regional Office, U.S. Customs House, 2nd and Chestnut Streets, 7th Floor, Philadelphia, Pennsylvania, 19106, within 20 calendar days of this response.

13 Mar 18
Date


D. K. White
Warden

PIDA

Page 1 of 1

ALFG4 * INMATE FINANCIAL RESPONSIBILITY * 10-03-2018
 PAGE 002 OF 002 * DISPLAY INMT FINANCIAL OBLG ADJUSTMENTS * 10:28:39

REGNO: 59883-066 OBLG NO: ALL NO. ADJ TO VIEW: 15 FUNC: DSS
 NAME.: MAINOR, RAYMOND
 OBLG STATUS.: WAIT PLAN OBLG BAL.: 59450.00 TYPE OBLG: FINE USDC OBLG NO: 2
 DATE ADDED FCL ADJ TYPE ADJ REASON ADJ AMT DEP NO. DETAIL
 10-03-2018 ALF PAYMENT PRIOR PYMT 25.00 N
 10-03-2018 ALF PAYMENT PRIOR PYMT 100.00 N
 10-03-2018 ALF PAYMENT PRIOR PYMT 25.00 N
 06-12-2018 ALF PAYMENT INSIDE PMT 25.00 8091 N
 03-13-2018 ALF PAYMENT INSIDE PMT 25.00 8061 N
 12-12-2017 ALF PAYMENT INSIDE PMT 25.00 8031 N
 09-12-2017 ALF PAYMENT INSIDE PMT 25.00 7121 N
 06-13-2017 ALF PAYMENT INSIDE PMT 25.00 7091 N
 03-14-2017 ALF PAYMENT INSIDE PMT 25.00 7061 N
 12-13-2016 ALF PAYMENT INSIDE PMT 25.00 7031 N
 09-13-2016 ALF PAYMENT INSIDE PMT 25.00 6121 N
 06-14-2016 ALF PAYMENT INSIDE PMT 25.00 6091 N
 12-11-2015 FOR PAYMENT INSIDE PMT 25.00 6031 N
 09-11-2015 FOR PAYMENT INSIDE PMT 25.00 5121 N
 06-12-2015 FOR PAYMENT INSIDE PMT 25.00 5091 N

G0005 TRANSACTION SUCCESSFULLY COMPLETED - CONTINUE PROCESSING IF DESIRED

EXHIBIT B

<https://boj.tcp.doj.gov:9049/SENTRY/J1P15V0.do>

10/3/2018

U.S. DEPARTMENT OF JUSTICE
Federal Bureau of Prisons

REQUEST FOR ADMINISTRATIVE REMEDY

157-11

Type or use ball-point pen. If attachments are needed, submit four copies. Additional instructions on reverse.

From: MAINOR, RAYMOND
LAST NAME, FIRST, MIDDLE INITIAL
REG. NO. 59883-066
UNIT LVC A
INSTITUTION SCI ALLIANCE

Part A- INMATE REQUEST: Raymond Mainor seeks formal review of case manager L. Gatz violation of a court order/ BP policy regarding payment of fines. As the court's have held, only a sentencing court may impose a specific sentence to be collected during incarceration, and the BP lacks authority to substitute its own schedule. Where the sentencing court did not set a schedule for payments during petitioner's incarceration period, the BP is not authorized to collect payments. Ed. Jones. In this matter L. Gatz has stepped outside of her area and sought to interpret what the court did not ask her to do and took arbitrary and capricious actions by putting Mainor on "BP release." Mainor has never refused to pay his fine as ordered by the court, has not been presented with an agreement to voluntarily make \$25.00 per quarter prior to he been presented with an awarded court order altering the payment schedule. Attached as Bth. A is a copy of the schedule of payment from Mainor's judgment. The court ordered that the fine shall be paid within 30 days of sentencing [if not paid within 30 days] the defendant shall satisfy the amount due in monthly installments of not less than \$200.00 to commence 30 days after release from confinement. The only amount due immediately is \$600.00 special assessment which has been paid. The court never set a payment schedule while I was incarcerated to pay anything. The BP \$530.00 recognizes the court's authority to set a schedule, and no part of the policy states staff should force and intimidate inmates into BP. It requires staff to encourage inmates meet their financial obligations. As remedy, first, I am requesting L. Gatz refrain from her arbitrary and capricious actions of misrepresentation that I refused to pay, and starting outside of her area. Second, there is but three options (1) allow me to pay voluntarily \$25.00 per quarter as an agreement, (2) place me on "NO OLC" until Mainor is released from incarceration, (3) Mainor can obtain an injunction from the federal court to resolve this matter. Mainor's preference is either option 1 or 2.

See Garcia v. Daniels, 457 F.Supp. 2d 1097 (D.C. 2006); Dosey v. Daniels, 2007 U.S. LEXIS 45718 (9th Cir. 2007); Jones v. Daniels, 2007 U.S. Dist. LEXIS 69442 (9th Cir. 2007)

Signature: [Signature]

Part B- RESPONSE

SIGNATURE OF REQUESTER

See attached

Rec'd 3/14/2018

WARDEN OR REGIONAL DIRECTOR

If dissatisfied with this response, you may appeal to the Regional Director. Your appeal must be received in the Regional Office within 30 calendar days of the date of this response.

THIRD COPY: RETURN TO INMATE

CASE NUMBER: 41855

CASE NUMBER:

Part C- RECEIPT

Return to:

LAST NAME, FIRST, MIDDLE INITIAL

REG. NO.

UNIT

INSTITUTION

SUBJECT:

DATE

RECIPIENT'S SIGNATURE (STAFF MEMBER)

BP 500139
APRIL 1982

EXHIBIT C

MAINOR, Raymond
Reg. No.: 59883-066
Appeal Number: 949825-F1
Page 2

Based on the aforementioned information, your Request for Administrative Remedy is denied.

In the event you are not satisfied with this response and wish to appeal, you may do so within 20 calendar days of the date of this response by submitting a BP-230(10) to the Regional Director, Federal Bureau of Prisons, Northeast Regional Office, U.S. Customs House, 2nd and Chestnut Street, Philadelphia, PA 19106.

17 Aug 18

Date



D. K. White
Warden

MAINOR, Raymond
Reg. No.: 59883-066
Appeal Number: 949825-F1
Page 1

Part B - Response

This is in response to your Request for Administrative Remedy received on August 10, 2018, where you allege your Case Manager modified a court order and request to be placed in "NO OBLIGATION" status regarding your court-ordered fine.

According to Program Statement 5380.08, Inmate Financial Responsibility Program (IFRP), inmates are required to make payment toward their court-ordered financial obligations. At the time you were sentenced, the sentencing judge ordered you to pay a \$600.00 felony assessment, which has been paid in full, and a fine in the amount of \$60,000.00. Per your Judgment and Commitment Order, you were required to make an immediate payment of \$60,000.00, within 30 days of sentencing. The sentencing judge further ordered, "In the event that the fine is not paid prior to the commencement of supervision, the defendant shall satisfy the amount due in monthly installments of not less than \$200.00, to commence 30 days after release from confinement." Your Judgment and Commitment Order does not state you are not required to make commensurate payments toward your financial obligations while incarcerated, thus you are and will be required to make commensurate payments on your outstanding balance.

When reviewing to determine a financial responsibility plan, the Unit Team must determine the total funds deposited into the inmate's trust fund account for the previous six months, subtract the IFRP payments made by the inmate during the previous six months, and subtract \$450.00 to allow for the Inmate Telephone System for communication with family and friends. Any remaining funds after this computation may be considered for IFRP payments.

Upon reviewing your case, in the past six months, you have had a total of \$3,640.00 deposited into your inmate account. You have made a total of \$50.00 in payments toward your court ordered financial obligations. Based on the noted criteria, the amount of funds to be considered for payment toward your obligations is \$3,140.00. This would equate to a monthly payment of \$523.00. At your most recent program review, in order that you may purchase personal hygiene items within the commissary and save money for release purposes, your Case Manager created a new IFRP contract with a monthly payment of \$75.00. This amount is within the scope of Program Statement 5380.08, while allowing you the ability to purchase various items. As you have refused to sign the new IFRP contract, you have been appropriately placed in "FRP REFUSE" status.

U.S. Department of Justice

Federal Bureau of Prisons

Type or use ball-point pen. If attachments are needed, submit four copies. One copy of the completed BP-229(1.3) including any attachments must be submitted with this appeal.

From: MATRONA NAME, FIRST, MIDDLE INITIAL
59483-066 145 A UNIT 5321 ALLEGHENY INSTITUTION
REC. NO.

Part A - REASON FOR APPEAL

[illegible]

Part B - RESPONSE

Signature of Requester SIGNATURE OF REQUESTER

Part B - Response

MAINOR, Raymond
Reg. No. 59883-066
Appeal No. 949825-R1
Page One

You appeal the response from the Warden at LSCI Allenwood regarding the application of the Inmate Financial Responsibility Program (IFRP) to you. Specifically, you contend you were coerced to enter into the Financial Responsibility Plan (FRP) contract. You claim you are not obligated to pay your court-ordered financial obligations while incarcerated and the Federal Bureau of Prisons (BOP) does not have the authority to establish a payment plan.

Pursuant to Program Statement 5380.08, Financial Responsibility Program, inmates, the BOP has established procedures to encourage inmates to contribute toward court-ordered financial obligations while incarcerated. As a law enforcement agency, the BOP is required to put forth a diligent effort to collect court-ordered financial obligations. Although participation is voluntary, encouraging payment of court-ordered financial obligations is consistent with promoting responsibility in inmates. Inmates who choose not to participate demonstrate poor responsibility and are held accountable for their inactions. Participation and/or progress in this area is reviewed each time staff assesses an inmate's demonstrated level of responsible behavior.

A review of your appeal reveals the Warden adequately addressed your complaint. Records reflect you were sentenced by the U.S. District Court for the Eastern District of Pennsylvania on April 24, 2008. This sentence includes a \$600.00 felony assessment and a \$60,000.00 fine. The financial obligations are ordered to be paid immediately, and additional instructions are provided in the event the financial obligations are not paid in full prior to the commencement of supervision. Payment of criminal monetary penalties are due during imprisonment. Records indicate your case was recently reviewed, and you refused to participate in the IFRP. You have provided no evidence to suggest you are being coerced to participate in the IFRP or that these payments are no longer required. Accordingly, your appeal is denied.

If you are dissatisfied with this response, you may appeal to the General Counsel, Federal Bureau of Prisons. Your appeal must be received in the Administrative Remedy Section, Office of General Counsel, Federal Bureau of Prisons, 320 First Street, N.W., Washington, D.C. 20534, within 30 calendar days of the date of this response.

Date: September 28, 2018

J. RAY ORMOND
Regional Director

Dr. Howard

REGIONAL DIRECTOR

If dissatisfied with this response, you may appeal to the General Counsel. Your appeal must be received in the General Counsel's Office within 30 calendar days of the date of this response.

SECOND COPY: RETURN TO INMATE

CASE NUMBER:

Part C - Receipt

CASE NUMBER:

Return to:

LAST NAME, FIRST, MIDDLE INITIAL

REG. NO.	UNIT
----------	------

INSTITUTION

DATE _____

SIGNATURE, RECIPIENT OF REGIONAL APPEAL

608-790-2300

Central Office Administrative Remedy Appeal

At Justice
of Prisons

Self-printed pen. If attachments are needed, submit four copies. One copy each of the completed BP-DIR-9 and BP-DIR-10, including any attachments, must be submitted with this appeal.

MAJOR, RAYMOND LAST NAME, FIRST, MIDDLE INITIAL 59883-066 REG. NO. LVC A LSCI ALLENWOOD INSTITUTION

Part A - REASON FOR APPEAL Mr. Major seeks review of the Regional Director, Warden, AM, and Unit Manager's refusal to correct abusive conduct of staff L. Getz in regards to my FRP. Her misconduct has impacted my religious practices as I am unable to purchase religious items needed for fasting among other things. The lack of investigation has denied me relief for which I will seek monetary punitive damages for negligence and violation of my first amendment right. As of June 12, 2018 (last FRP payment) I had an FRP agreement to pay \$25.00. As demonstrated by the FRP reports in SNIIR, I have consistently made my quarterly payments from my trust account without an issue. Sometime between June 12 and September 2018 L. Getz took it upon herself to cancel my automatic FRP payments without my permission and consent. As a result of her arbitrary and capricious actions, my Sept quarterly payment did not come out and I've put me on FRP refuse when I never refused. To hide her misconduct, she has been lying to the Unit Manager, AM, Warden and Regional Director about what she did and they have covered up for her instead of taking corrective action. I, Getz never advised me prior to September that she was stopping my FRP automatic payments, nor did I request it. She has told others I refused, but has provided no documentation that I signed saying I refused. Moreover when I asked her for a copy of the agreement for \$25.00 she has refused to provide it. As a result of L. Getz's negligent conduct, my payments fell behind and I am being denied the ability to purchase items from commissary for religious practices purposes. I took steps to bring my FRP payments up to date with the court and provided copies of the receipt. Instead of L. Getz posting the payments to the quarters going forward, she misquoted then to keep me in FRP refuse and further abuse her authority as she knows there is no consequences for her illegally, arbitrary and capricious actions. I am not the only one she has done this to. She needs to be removed from her position and I need to be taken out of FRP refuse. *Raymond Major*

DATE

Part B - RESPONSE

RECEIVED

OCT 22 2018

Administrative Remedy Section
Federal Bureau of Prisons

RECEIVED

NOV 05 2018

DATE	GENERAL COUNSEL
ORIGINAL: RETURN TO INMATE	CASE NUMBER: 949825-A1
Part C - RECEIPT	CASE NUMBER:
Return to:	REG. NO.
SUBJECT:	UNIT
DATE	INSTITUTION
USE LW	SIGNATURE OF RECIPIENT OF CENTRAL OFFICE APPEAL
	Previous editions not usable

Administrative Remedy No. 949825-A1
Part B - Response

This is in response to your Central Office Administrative Remedy Appeal wherein you contend the Bureau of Prisons does not have the authority to set the installment payment plan through the Inmate Financial Responsibility Program (IFRP). For relief, you request to be removed from your IFRP-Refuse status.

We have reviewed documentation relevant to your appeal and, based on the information gathered, concur with the manner in which the Warden and Regional Director addressed your concerns at the time of your Request for Administrative Remedy and subsequent appeal. Program Statement 5380.08, Inmate Financial Responsibility Program, establishes the procedure by which an inmate may make efforts toward meeting their criminal monetary penalties and legitimate financial obligations. Payment amounts are based on a formula contained within this Program Statement and considers all funds received from all sources. The courts have upheld the authority of the Bureau of Prisons to collect court-ordered financial obligations through the IFRP and have held that the IFRP procedures are lawful and Constitutional.

When you were sentenced, the Court imposed a \$600.00 felony assessment and a \$60,000 fine. The balance of \$200 owed on your felony assessment has expired and you have a balance of \$59,450 on your fine. Your Judgment & Commitment Order indicates, "Unless the Court has expressly ordered otherwise, if this judgment imposes imprisonment, payment of criminal monetary penalties is due during imprisonment."

The Bureau of Prisons considers that your criminal monetary penalties are subject to payment via the IFRP. A review of the record reveals you are currently in IFRP-Refuse status. Inmate participation in the IFRP is completely voluntary, but failure or refusal to make satisfactory progress toward meeting financial obligations may result in the limitation of certain privileges reflective of a demonstration of poor responsibility. We find the actions of staff in this matter to be reasonable and consistent with the intent of policy and the direction of the sentencing court.

Accordingly, your appeal is denied.

Date 11/11/18

Jan
Jan Gammors, Administrator
National Inmate Appeals

RECEIVED

NOV 05 2018

09/18/2018 10:17 AM PDT

Version 7.1 Page 3 of 5

U.S. Courts
Case Inquiry Report
Case Num: DPAE206CR000140; Party Num: 001; Payee Code: N/A
Show Party Details: Y; Show Payee Details: N; Show Transactions: Y

Transaction Information:

Document Type/Number*	Account Number	Debit Type Line#	Document Date	Accomplished Date	Line Type	Payee Line#	Amount	Party/Payee Name	Doc Acta	Trans Type	Fund
CK 2276	DPAE206CR000140-001	2	04/09/2009	04/30/2009	PR		150.00	RAYMOND MAINOR	O	99	504100
			SPECIAL PENALTY ASSESSMENT								
CT PPE001004	DPAE206CR000140-001	2	05/19/2009	05/19/2009	PR		25.00	RAYMOND MAINOR	O	04	504100
			SPECIAL PENALTY ASSESSMENT								
CT PPE003522	DPAE206CR000140-001	2	06/23/2009	06/23/2009	PR		25.00	RAYMOND MAINOR	O	04	504100
			SPECIAL PENALTY ASSESSMENT								
CT B061109DPAE206CR00014000122	DPAE206CR000140-001	2	06/11/2009	07/01/2009	PR		25.00	RAYMOND MAINOR	O	OP3	504100
			SPECIAL PENALTY ASSESSMENT								
CT B080109DPAE206CR00014000164	DPAE206CR000140-001	2	08/01/2009	08/01/2009	PR		25.00	RAYMOND MAINOR	O	OP3	504100
			SPECIAL PENALTY ASSESSMENT								
CT B090109DPAE206CR00014000163	DPAE206CR000140-001	2	09/01/2009	09/01/2009	PR		25.00	RAYMOND MAINOR	O	OP3	504100
			SPECIAL PENALTY ASSESSMENT								
CT B100109DPAE206CR00014000133	DPAE206CR000140-001	2	10/01/2009	10/01/2009	PR		25.00	RAYMOND MAINOR	O	OP3	504100
			SPECIAL PENALTY ASSESSMENT								
CT B110109DPAE206CR00014000166	DPAE206CR000140-001	2	11/01/2009	11/01/2009	PR		25.00	RAYMOND MAINOR	O	OP3	504100
			SPECIAL PENALTY ASSESSMENT								
CT B120109DPAE206CR00014000162	DPAE206CR000140-001	2	12/01/2009	12/01/2009	PR		25.00	RAYMOND MAINOR	O	OP3	504100
			SPECIAL PENALTY ASSESSMENT								
CT B120109DPAE206CR00014000123	DPAE206CR000140-001	2	12/01/2009	01/01/2010	PR		25.00	RAYMOND MAINOR	O	OP3	504100
			SPECIAL PENALTY ASSESSMENT								
CT B020110DPAE206CR00014000163	DPAE206CR000140-001	2	02/01/2010	02/01/2010	PR		25.00	RAYMOND MAINOR	O	OP3	504100
			SPECIAL PENALTY ASSESSMENT								
CT B070114DPAE206CR00014000166	DPAE206CR000140-001	1	07/01/2014	07/01/2014	PR		25.00	RAYMOND MAINOR	O	OP3	504100
			FINE-CRIME VICTIMS FUND								
CT B100114DPAE206CR00014000167	DPAE206CR000140-001	1	10/01/2014	10/01/2014	PR		25.00	RAYMOND MAINOR	O	OP3	504100
			FINE-CRIME VICTIMS FUND								
CT B010115DPAE206CR00014000164	DPAE206CR000140-001	1	01/01/2015	01/01/2015	PR		25.00	RAYMOND MAINOR	O	OP3	504100
			FINE-CRIME VICTIMS FUND								
CT B040115DPAE206CR00014000167	DPAE206CR000140-001	1	04/01/2015	04/01/2015	PR		25.00	RAYMOND MAINOR	O	OP3	504100
			FINE-CRIME VICTIMS FUND								
CT B070115DPAE206CR00014000165	DPAE206CR000140-001	1	07/01/2015	07/01/2015	PR		25.00	RAYMOND MAINOR	O	OP3	504100
			FINE-CRIME VICTIMS FUND								

EXHIBIT D

09/18/2018 10:17 AM PDT

Version 7.1 Page 4 of 5

U.S. Courts
Case Inquiry Report
Case Num: DPAE206CR000140; Party Num: 001; Payee Code: N/A
Show Party Details: Y; Show Payee Details: N; Show Transactions: Y

Transaction Information:


Document Type/Number*	Account Number	Debit Type Line#	Document Date	Accomplished Date	Line Type	Payee Line#	Amount	Party/Payee Name	Dec Act#	Trans Type	Fund
CT B100115DPAE206CR00014000164	DPAE206CR000140-001	1	10/01/2015	10/01/2015	PR		25.00	RAYMOND MADNOR	O	OP3	504100
								FINE-CRIME VICTIMS FUND			
CT B010116DPAE206CR00014000163	DPAE206CR000140-001	1	01/01/2016	01/01/2016	PR		25.00	RAYMOND MADNOR	O	OP3	504100
								FINE-CRIME VICTIMS FUND			
CT B070116DPAE206CR00014000164	DPAE206CR000140-001	1	07/01/2016	07/01/2016	PR		25.00	RAYMOND MADNOR	O	OP3	504100
								FINE-CRIME VICTIMS FUND			
CT B100116DPAE206CR00014000160	DPAE206CR000140-001	1	10/01/2016	10/01/2016	PR		25.00	RAYMOND MADNOR	O	OP3	504100
								FINE-CRIME VICTIMS FUND			
CT B010117DPAE206CR00014000156	DPAE206CR000140-001	1	01/01/2017	01/01/2017	PR		25.00	RAYMOND MADNOR	O	OP3	504100
								FINE-CRIME VICTIMS FUND			
CT B040117DPAE206CR00014000160	DPAE206CR000140-001	1	04/01/2017	04/01/2017	PR		25.00	RAYMOND MADNOR	O	OP3	504100
								FINE-CRIME VICTIMS FUND			
CT B070117DPAE206CR00014000159	DPAE206CR000140-001	1	07/01/2017	07/01/2017	PR		25.00	RAYMOND MADNOR	O	OP3	504100
								FINE-CRIME VICTIMS FUND			
CT B100117DPAE206CR00014000154	DPAE206CR000140-001	1	10/01/2017	10/01/2017	PR		25.00	RAYMOND MADNOR	O	OP3	504100
								FINE-CRIME VICTIMS FUND			
CT B010118DPAE206CR00014000154	DPAE206CR000140-001	1	01/01/2018	01/01/2018	PR		25.00	RAYMOND MADNOR	Q	OP3	504100
								FINE-CRIME VICTIMS FUND			
CT B040118DPAE206CR00014000156	DPAE206CR000140-001	1	04/01/2018	04/01/2018	PR		25.00	RAYMOND MADNOR	O	OP3	504100
								FINE-CRIME VICTIMS FUND			
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CT PFE184704	DPAE206CR000140-001	1	09/14/2018	09/14/2018	PR		25.00	RAYMOND MADNOR	O	04	504100
								FINE-CRIME VICTIMS FUND			

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